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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,768	01/09/2006	Kouichi Matsuda	280025US6PCT	3211
22850 7590 04/01/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER TEKLE, DANIEL T				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 04/01/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/563,768

Applicant(s)

MATSUDA, KOUICHI

Examiner

DANIEL TEKLE

Art Unit

2621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-6 rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki et al. (US 6,245,982).

Regarding Claim 1: Suzuki et al. discloses an audio reproduction method when reproducing audio data to which character data for displaying a character having a specific shape is added, comprising the steps of: generating data on an image having the shape specified by said character data by analyzing the character data (**column 1 lines 39-47**), and displaying the generated image data correspondingly to the reproduction of said audio data (**column 1 lines 39-53**).

Regarding Claim 2: Suzuki et al. discloses an audio reproduction method according to claim 1, wherein when motion data for indicating motion of the character having the shape specified by said character data is further added to said audio data, the motion indicated by the motion data is displayed correspondingly to the reproduction of said audio data (**column 1 lines 43-47**).

Regarding Claim 3: Suzuki et al. discloses an audio reproduction method according to claim 1, wherein said character data is data on a character having a three-dimensional

shape, and based on a predetermined input operation the character to be displayed is made into a character having a shape seen from an arbitrary viewpoint (**column 8 line 64 to column 9 line 10**).

Regarding Claim 4: Suzuki et al. discloses an audio reproduction apparatus comprising: retaining means for retaining audio data to which character data for displaying a character having a specific shape is added (**column 1 lines 39-47**), audio reproducing means for processing to reproduce the audio data retained in said retaining means (**column 1 lines 39-47**), image processing means for generating data on an image having the shape specified by the character data by analyzing the character when character data is added to the audio data reproduced in said audio reproducing means (**column 1 lines 47-59**), and display means for displaying image data generated in said image processing means correspondingly to the reproduction in said audio reproducing means (**column 1 lines 60-67**).

Regarding Claim 5: Suzuki et al. discloses an audio reproduction apparatus according to claim 4, wherein motion data for indicating motion of the character having the shape specified by said character data is further added to the audio data retained in said retaining means (**column 1 lines 47-59**), and said image processing means generates an image in which the motion indicated by said motion data is added to the character specified by said character data (**column 1 lines 47-59**).

Regarding Claim 6: Suzuki et al. discloses an audio reproduction apparatus according to claim 4, wherein the character data added to the audio data retained in said retaining

means is data on a character having a three-dimensional shape (**column 8 line 64 to column 9 line 10**), operating means for indicating a viewpoint toward the character having a three-dimensional shape is provided (**column 8 line 64 to column 9 line 10**), and based on the viewpoint indicated by said operating means, the image data generated in said image processing means is made into an image of a character seen from the viewpoint (**column 8 line 64 to column 9 line 10**).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621
/Daniel Tekle/
Examiner, Art Unit 2621